

ORDINANCES INTRODUCED

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|---------------------------|--|
| ORDINANCE 35.42.16 | AN ORDINANCE AMENDING CHAPTER 375 OF THE CODE OF THE CITY OF ALBANY (ZONING) CHANGING THE ZONING CLASSIFICATIONS OF 40 NORTH RUSSELL ROAD FROM HIGHWAY COMMERCIAL DISTRICT (C-2) TO GENERAL INDUSTRIAL DISTRICT (M-1) AND AMENDING THE ZONING MAP ACCORDINGLY |
| ORDINANCE 36.42.16 | AN ORDINANCE AMENDING THE PARK SOUTH URBAN RENEWAL PLAN AND PARK SOUTH PLANNED DEVELOPMENT DISTRICT CHAPTER 375 (ZONING) OF THE CODE OF THE CITY OF ALBANY |
| ORDINANCE 37.42.16 | AN ORDINANCE AMENDING § 375 OF THE CODE OF THE CITY OF ALBANY IN RELATION TO FEES FOR ADMINISTRATIVE APPEALS OF THE WASTE COLLECTION FEE |

RESOLUTIONS INTRODUCED

RESOLUTION 27.42.16R

**RESOLUTION OF THE COMMON COUNCIL
PURSUANT TO GENERAL MUNICIPAL
LAW § 505 ISSUING FINDINGS FOR THE
AMENDMENTS TO THE PARK SOUTH
URBAN RENEWAL PLAN**

RESOLUTION 28.42.16R

**RESOLUTION OF THE COMMON COUNCIL
REFERRING PROPOSED AMENDMENTS TO
THE PARK SOUTH URBAN RENEWAL
PLAN AND PARK SOUTH PLANNED
DEVELOPMENT DISTRICT TO THE CITY
OF ALBANY PLANNING BOARD FOR A
REPORT AND CERTIFICATION PURSUANT
TO GENERAL MUNICIPAL LAW §505(2)**

RESOLUTION 29.42.16R

**RESOLUTION OF THE COMMON COUNCIL
PURSUANT TO SEQRA DECLARING
ITSELF LEAD AGENCY FOR THE
CONTINUED ENVIRONMENTAL REVIEW
FOR AMENDMENTS TO THE PARK SOUTH
URBAN RENEWAL PLAN AND PARK
SOUTH PLANNED DEVELOPMENT
DISTRICT OF CHAPTER 375 (ZONING) OF
THE CODE OF THE CITY OF ALBANY**

RESOLUTION 30.42.16R

**RESOLUTION OF THE COMMON COUNCIL
DECLARING ITSELF LEAD AGENCY FOR
PURPOSES OF DETERMINING
ENVIRONMENTAL SIGNIFICANCE IN
ACCORDANCE WITH ARTICLE 8 OF THE
ENVIRONMENTAL CONSERVATION LAW
(SEQRA), AND CHANGING THE ZONING
CLASSIFICATIONS OF 40 NORTH RUSSELL
ROAD FROM HIGHWAY COMMERCIAL
DISTRICT (C-2) TO GENERAL INDUSTRIAL
DISTRICT (M-1) AND AMENDING THE
ZONING MAP ACCORDINGLY**

RESOLUTION 31.42.16R

**RESOLUTION OF THE COMMON COUNCIL
CONSENTING TO THE ELIMINATION OF
OUTREACH COORDINATOR AND THE
CREATION OF ADMINISTRATIVE
ASSISTANT POSITION IN THE
DEPARTMENT OF RECREATION**

RESOLUTION 32.42.16R

**RESOLUTION OF THE COMMON COUNCIL
CONSENTING TO THE ELIMINATION OF
KARATE INSTRUCTOR AND ASSISTANT
KARATE INSTRUCTOR AND THE
CREATION OF COMMUNITY AIDE/OFFICE
ASSISTANT POSITION IN THE
DEPARTMENT OF RECREATION**

RESOLUTION 33.42.16R

**RESOLUTION OF THE COMMON COUNCIL
CONSENTING TO THE ELIMINATION OF
WEIGHTLIFTING INSTRUCTOR AND THE
CREATION OF ATHLETIC MANAGER
POSITION IN THE DEPARTMENT OF
RECREATION**

Council Member O'Brien introduced the following:

ORDINANCE NUMBER 35.42.16

AN ORDINANCE AMENDING CHAPTER 375 OF THE CODE OF THE CITY OF ALBANY (ZONING) CHANGING THE ZONING CLASSIFICATIONS OF 40 NORTH RUSSELL ROAD FROM HIGHWAY COMMERCIAL DISTRICT (C-2) TO GENERAL INDUSTRIAL DISTRICT (M-1) AND AMENDING THE ZONING MAP ACCORDINGLY

The City of Albany, in City Council convened, does hereby ordain and enact:

Section 1. Chapter 375 of the Code of the City of Albany (Zoning) and the Official Zoning Map are hereby amended to change the zoning classifications of 40 North Russell Road and from Highway Commercial District (C-2) to General Industrial District (M-1), said properties being more particularly described as follows:

All that parcel of land situated in the City of Albany, County of Albany and State of New York, identified on the tax map as follows:

Parcel 3

Section: 53.67

Block: 1

Lot: 5.1

Said premises more commonly known as 40 North Russell Road measuring approximately 1.79 acres.

Section 2. The Council finds and declares that this action is an “Unlisted” action under Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder (SEQRA), and directs that coordinated review be conducted for the determination and establishment of Lead Agency.

Section 3. This Ordinance shall take effect immediately.

APPROVED

April 8, 2016

Corporation Counsel

To: Nala R. Woodard, City Clerk
From: William G. Kelly, Jr. Senior Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: April 8, 2016

ORDINANCE NUMBER 35.42.16

TITLE

AN ORDINANCE AMENDING CHAPTER 375 OF THE CODE OF THE CITY OF ALBANY (ZONING) CHANGING THE ZONING CLASSIFICATIONS OF 40 NORTH RUSSELL ROAD FROM HIGHWAY COMMERCIAL DISTRICT (C-2) TO GENERAL INDUSTRIAL DISTRICT (M-1) AND AMENDING THE ZONING MAP ACCORDINGLY

GENERAL PURPOSE OF LEGISLATION

See attached memorandum

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

See attached memorandum

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

See attached memorandum

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

See attached memorandum

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

See attached memorandum

FISCAL IMPACT(S)

See attached memorandum

Council Member introduced the following

ORDINANCE NUMBER 36.42.16

**AN ORDINANCE AMENDING THE PARK SOUTH URBAN RENEWAL PLAN
AND PARK SOUTH PLANNED DEVELOPMENT DISTRICT CHAPTER 375
(ZONING) OF THE CODE OF THE CITY OF ALBANY**

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. The term as set forth in Article VI(C), Article VII(D) and Article IX of the Park South Urban Renewal Plan is hereby amended as set forth in the attached Schedule 1.

Section 2. Pursuant to Article XI of the Park South Urban Renewal Plan, changes to the Park South Urban Renewal Plan and Park South Planned Development District defined as “major” require the approval of the Common Council. The Common Council is considering an amendment concerning building height and change of use for property located at 71-91 Dana Avenue as a major amendment

Section 3. It is hereby determined that the Park South Urban Renewal Plan and the Park South Planned Development District shall be amended to reflect the best interest of the Park South area and the current planning initiatives of the City for property located at 71-91 Dana Avenue. The Park South Urban Renewal Plan and Park South Planned Development District shall be amended to authorize: 1) regarding 71-91 Dana Avenue, four-story development, and 2) regarding 81-91 Dana Avenue, construction a multifamily residential development with associated parking, and revising Map A-ix and text of the Urban Renewal Plan and Chapter 375 of the City Code accordingly.

Section 4. This ordinance shall take effect immediately.

**APPROVED
April 8, 2016**

Corporation Counsel

SCHEDULE 1

VI. Proposed New Codes, Ordinances, and Amendments to Existing Codes and Ordinances

C. Consent of Agency to Building Permits

For the purpose of preserving the integrity of the Plan within the Area, no building construction or alteration permits or special use permit or site plan approval within the Area shall be issued or approved by the appropriate agency or department having jurisdiction thereof without the prior written consent of the ACDA consistent with the requirements of Section 503(h) of the General Municipal Law. The ACDA shall review applications for the proposed construction, alteration or use to determine that the proposals are not inconsistent with the parameters of the Plan. Parameters include: Design Guidelines within this Plan as well as the parameters of the C-1 Neighborhood Commercial District and the Traditional Neighborhood Design overlay; project type; project location; project scope; and general conformance with the Plan and the Environmental Impact Statement (EIS).

The ACDA retains the right to review permit applications for a period of 10 years following the date the Plan is adopted by the Common Council, [or for as long thereafter as the Plan may be extended by the Common Council.](#)

The ACDA shall adopt appropriate internal rules and regulations for the staffing and review of applications referred by the Division of Building and Codes for consistency with this Plan. The ACDA shall adopt appropriate procedures to be followed in case a specific development proposal under the Plan must also be reviewed and approved by other City agencies.

VII. Proposed Program of Code Enforcement

D. Resources

The City will facilitate the implementation of the Plan by making the Area and projects proposed within the Area a priority for all City agencies and Departments including financing available through the City. Targeted City services and increased visibility and presence in the Area from staff in the Police Department and Bureau of Building and Codes will parallel planned projects to effect a visual and physical change in the Area environment.

Programs such as the Quality of Life Task Force, Walk-and-Watch Program of the Park South Neighborhood Association and the Safe Homes – Safe Streets Program of the District Attorney’s Office, and similar future programs, shall be supported and facilitated by the City of Albany during the ~~ten~~[eleven](#) ~~(4011)~~ year period that the ACDA has review and approval authority over development proposals within the Area, [which may be shortened or extended by the Common Council.](#) This long term commitment of resources will reduce the level of crime in the neighborhood, increase stability, encourage an increase in homeownership, and increase property owners’ willingness to invest in their properties.

ACDA may cause properties that cannot be rehabilitated because of basic structural conditions or that by either their physical condition or use create a blighting influence on the surrounding Area to be acquired and/or cleared.

IX. Proposed Timetable for Effectuation of the Plan

It is the intent of the ACDA to commence the Urban Renewal actions specified herein immediately following the approval of this Plan by the Common Council and in accordance with all applicable Federal, State, and local laws. The duration of this Plan shall be ~~10~~ 11 years from the date of approval by the Albany Common Council, or until the Common Council adopts a new Zoning Ordinance and Zoning Map for the City that includes the rezoning of the nine-block Park South Urban Renewal Area, whichever occurs first. In no event, shall the extension of the term of the Park South Urban Renewal Plan exceed July 17, 2017, unless further extended by the Common Council.

Upon adoption of the Plan, the following timelines are anticipated for different aspects of the Plan implementation. The Plan allows for projects to move forward individually or in parallel paths, but generally projects are not interconnected other than as catalysts.

The projects and parcels outlined below in the Timeline are shown on the Urban Renewal Plan maps in Appendix A, Maps (ix) and (x).

It is important to note that actual dates of completion will vary due to outside factors, such as competitiveness of financing sources and coordination and cooperation of sellers of individual properties involved with specific projects. The overall timeline to implement the entire Plan is estimated to take ~~10~~ 11 years, or until the Common Council adopts a new Zoning Ordinance and Zoning Map for the City that includes the rezoning of the nine-block Park South Urban Renewal Area, whichever occurs first. In no event, shall the extension of the term of the Park South Urban Renewal Plan exceed July 17, 2017, unless further extended by the Common Council.

TIMELINES

Albany Medical Center (AMC) Parcels: The AMC parcels refers to property currently owned by AMC in the two blocks bounded by Robin Street on the west, Myrtle Avenue on the south, New Scotland Avenue on the east, and Dana Avenue on the north. It does not include parcels owned by others along New Scotland Avenue or owner-occupied properties within the two block area described herein. Projects shown on the Urban Renewal Plan maps in Appendix XII-A include medical and other office space, a parking garage and surface parking lots, and low to mid rise new housing construction to buffer the commercial uses from surrounding residential uses.

Time frame: Years 1-~~3~~11

Non-AMC Parcels – Acquisition and Redevelopment: These parcels include commercial, residential and mixed use buildings along New Scotland Avenue that are not owned by Albany Medical Center and are not in conformance with the Plan. Such parcels include but are not

limited to the surface parking lot on the northwest corner of New Scotland and Myrtle Avenues and the residential buildings across the street from that parking lot, on the northeast corner of New Scotland and Myrtle Avenues. It also includes buildings with businesses that would be incorporated into a new structure, thus retaining the business in the neighborhood. **Time frame:**

| **Years 3-~~10~~11**

Non-AMC Parcels – Acquisition and Rehabilitation: These parcels include residential and mixed use buildings along Madison Avenue, Knox Street, and Morris Street that are targeted for rehabilitation due to the architectural significance of the buildings to the overall character of the neighborhood. Each streetscape identified is treated as a different phase to be completed in

| succession. **Time frame: Years 2-~~10~~11**

Non-AMC Parcels – In-fill construction and Owner-occupied rehabilitation: The majority of parcels in the Park South Urban Renewal Area are part of this category. In this category, current property owners will be encouraged and given incentives to participate in the revitalization of their neighborhood. These parcels include vacant lots suitable for additional single family detached or attached homes and row houses, existing one- and two-family homes that may or may not be owner occupied, and existing business locations requiring building upgrades to meet new design guidelines of the Plan.

| **Time frame: Outreach – Years 1-2; Implementation – Years 3-~~10~~11**

To: Nala R. Woodard, City Clerk
From: William G. Kelly, Jr., Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: April 8, 2016

ORDINANCE NUMBER 36.42.16

TITLE

AN ORDINANCE AMENDING THE PARK SOUTH URBAN RENEWAL PLAN AND
PLANNED DEVELOPMENT DISTRICT CHAPTER 375 (ZONING) OF THE CODE OF THE
CITY OF ALBANY

GENERAL PURPOSE OF LEGISLATION

1) To extend the expiration date for the Urban Renewal Plan for one year, or until the Common
Council adopts a new comprehensive Zoning Ordinance, whichever is shorter, 2) to allow for an
increase from 3 stories to 4 stories for development at 71-91 Dana Avenue, and 3) to allow
multifamily apartment development at 81-91 Dana Avenue.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

The Common Council must approve any substantive changes to the Park South Urban Renewal Plan.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

Legislation should be adopted prior to expiration of Urban Renewal Plan on July 17, 2016; must
complete SEQRA and receive a report from City Planning Board prior to adopting the Ordinance.

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

Unknown at this time.

Council Member O'Brien introduced the following:

ORDINANCE NUMBER 37.42.16

AN ORDINANCE AMENDING § 375 OF THE CODE OF THE CITY OF ALBANY IN RELATION TO FEES FOR ADMINISTRATIVE APPEALS OF THE WASTE COLLECTION FEE

The City of Albany, in City Council convened, does hereby ordain and enact:

Section 1. Subsection (1)(f) of Section 375 of the Code of the City of Albany is amended to read as follows:

No application for a permit, certificate, appeal, amendment or other zoning purpose will be processed nor shall any action be taken unless the various charges for expenses or fees are paid in accordance with the schedule which is set forth below:

[Amended 5-19-2008 by Ord. No. 25.42.08; 7-8-2010 by Ord. No. 62.51.10]

(1) Board of Appeals.

(a) Use variance: \$400.

[1] Per additional variance: \$100.

(b) Area variance:

[1] One- to two-family residence: \$50.

[2] All others: \$150.

[3] Per additional variance: \$25.

(c) Special use permit: \$250.

[1] Per additional permit: \$100.

(d) Parking lot permit: \$250.

[1] Per additional permit: \$100.

(e) Interpretation: \$100.

(f) Administrative appeal: \$250.

[1] Administrative Appeal of Waste Collection Fee: \$25.

(g) Amendment: \$200.

(h) Extension: \$100.

(i) Rescheduling: \$100.

(j) Zoning compliance letter: \$50.

Section 2. This Ordinance shall take effect immediately.

APPROVED

April 8, 2016

Corporation Counsel

To: Nala Woodard, City Clerk
From: William G. Kelly, Jr. Senior Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: April 8, 2016

ORDINANCE NUMBER 37.42.16

TITLE: AN ORDINANCE AMENDING § 375 OF THE CODE OF THE CITY OF ALBANY
IN RELATION TO FEES FOR ADMINISTRATIVE APPEALS OF THE WASTE
COLLECTION FEE

GENERAL PURPOSE OF LEGISLATION: See attached memorandum.

NECESSITY FOR LEGISLATION: See attached memorandum.

FISCAL IMPACT: See attached memorandum.

Council Member introduced the following:

RESOLUTION NUMBER 27.42.16R

RESOLUTION OF THE COMMON COUNCIL PURSUANT TO GENERAL MUNICIPAL LAW § 505 ISSUING FINDINGS FOR THE AMENDMENTS TO THE PARK SOUTH URBAN RENEWAL PLAN

WHEREAS, pursuant to Article 15 of the General Municipal Law (§505), on July 17, 2006, the Common Council adopted the Park South Urban Renewal Plan (“PSURP”) and made the requisite findings in support thereof; and

WHEREAS, the Common Council is considering certain amendments to the PSURP and the Park South Planned Development District to: 1) extend the term; 2) regarding to 71-91 Dana Avenue, to provide for four-story development, and 3) regarding to 81-91 Dana Avenue, the construction a multifamily residential development with associated parking (the “Amendments”), and revising Map A-ix and text of the Urban Renewal Plan and Chapter 375 of the City Code, accordingly (the “Amendments”); and

WHEREAS, pursuant to General Municipal Law §505(2), the Common Council referred the Amendments to the City of Albany Planning Board for a report and certification; and

WHEREAS, the City of Albany Planning Board, after conducting a public hearing, provided a report to the Common Council, consistent with statutory requirements, certifying its unqualified approval of the PSURP and the Amendments; and [*Will need to confirm*]

WHEREAS, the Common Council conducted a public hearing to consider the proposed Amendments in compliance with the statutory requirements.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF ALBANY THAT:

Pursuant to Article 15 of the General Municipal Law (§505), the Common Council makes the following findings with regard to the Park South Urban Renewal Plan, including the identified Amendments:

1. The Common Council ratifies and reaffirms its findings made pursuant to Article 15 of the General Municipal Law (§505) as set forth in 24.42.06R.
2. The Common Council makes the following findings:
 - A. The area is a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area and tends to impair or arrest the sound growth and development of the municipality.

- B. The financial aid to be provided to the municipality is necessary to enable the project to be undertaken in accordance with the plan.
- C. The plan affords maximum opportunity to private enterprise, consistent with the sound needs of the City of Albany as a whole, for the undertaking of an urban renewal program.
- D. The plan conforms to the comprehensive community plan for the development of the City of Albany as a whole.
- E. There is a feasible method for the relocation of families and individuals displaced from the urban renewal area into decent, safe, and sanitary dwellings which are or will be provided in the urban renewal area or in other areas not generally less desirable in regard to public utilities, and public and commercial facilities, at rents and prices within the financial means of such families or individuals, and reasonably accessible to their places of employment.
- F. The undertaking and carrying out of the urban renewal activities in stages is in the best public interest, and will not cause any additional or increased hardship to the residents of such designated area.

3. The Amendments will continue to further the goals and planning objectives of the City, the Park South Urban Renewal Plan, and Park South Planned Development District and are consistent with the prior findings.

To: Nala R. Woodard, City Clerk
From: William G. Kelly, Jr., Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: April 8, 2016

RESOLUTION NUMBER 27.42.16R

TITLE

RESOLUTION OF THE COMMON COUNCIL PURSUANT TO GENERAL MUNICIPAL LAW
§505 ISSUING FINDINGS FOR THE AMENDMENTS TO THE PARK SOUTH URBAN
RENEWAL PLAN

GENERAL PURPOSE OF LEGISLATION

Compliance with statutory requirements prior to amendment of Urban Renewal Plan.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

Compliance with statutory requirements prior to amendment of Urban Renewal Plan.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

N/A

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

Unknown at this time.

Council Member introduced the following:

RESOLUTION NUMBER 28.42.16R

**RESOLUTION OF THE COMMON COUNCIL REFERRING PROPOSED
AMENDMENTS TO THE PARK SOUTH URBAN RENEWAL PLAN AND PARK
SOUTH PLANNED DEVELOPMENT DISTRICT TO THE CITY OF ALBANY
PLANNING BOARD FOR A REPORT AND CERTIFICATION PURSUANT TO
GENERAL MUNICIPAL LAW §505(2)**

WHEREAS, the Common Council is considering certain amendments to the Park South Urban Renewal Plan (“PSURP”) and Park South Planned Development District involving amendment of Article VI(C), Article VII(D) and Article IX to extend the time limitation for the PSURP and to amend the PSURP to authorize the following: 1) regarding 71-91 Dana Avenue, four-story development, and 2) regarding 81-91 Dana Avenue the construction a multifamily residential development with associated parking (the “Amendments”), and revising Map A-ix and text of the Urban Renewal Plan and Chapter 375 of the City Code accordingly; and

WHEREAS, pursuant to Article 15 of the General Municipal Law (§505), the Common Council, prior to taking action on the Amendments, desires to submit such Amendments to the City of Albany Planning Board for certification whether the Amendments to the PSURP comply with the provisions of General Municipal Law §502(7) and conforms to the finding made pursuant to General Municipal Law §504; and

**NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF
THE CITY OF ALBANY THAT:**

Pursuant to Article 15 of the General Municipal Law [(§505(2))], the Common Council hereby submits such Amendments to the City of Albany Planning Board for a report and certification in accordance with such statutory requirements.

To: Nala R. Woodard, City Clerk
From: William G. Kelly, Jr., Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: April 8, 2016

RESOLUTION NUMBER 28.42.16R

TITLE

RESOLUTION OF THE COMMON COUNCIL REFERRING PROPOSED AMENDMENTS TO
THE PARK SOUTH URBAN RENEWAL PLAN AND PARK SOUTH PLANNED
DEVELOPMENT DISTRICT TO THE CITY OF ALBANY PLANNING BOARD FOR A
REPORT AND CERTIFICATION PURSUANT TO GENERAL MUNICIPAL LAW §505(2)

GENERAL PURPOSE OF LEGISLATION

Compliance with statutory requirements prior to adoption of amendments to Urban Renewal Plan.
The Planning Board must provide a report and certification to the Common Council.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

See General Purpose of Legislation.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

N/A

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

Unknown at this time.

Council Member Conti introduced the following:

RESOLUTION NUMBER 29.42.16R

RESOLUTION OF THE COMMON COUNCIL PURSUANT TO SEQRA DECLARING ITSELF LEAD AGENCY FOR THE CONTINUED ENVIRONMENTAL REVIEW FOR AMENDMENTS TO THE PARK SOUTH URBAN RENEWAL PLAN AND PARK SOUTH PLANNED DEVELOPMENT DISTRICT OF CHAPTER 375 (ZONING) OF THE CODE OF THE CITY OF ALBANY

WHEREAS, the Common Council previously acted as SEQRA Lead Agency in connection with the environmental review of the Park South Urban Renewal Plan and certain zoning changes to implement same and, after a thorough review, adopted a comprehensive SEQRA Findings Statement on July 17, 2006; and

WHEREAS, changes to the Park South Urban Renewal Plan and Park South Planned Development District are proposed and require the review and approval of the Common Council; and

WHEREAS, such proposed amendments concern: 1) an extension of the term; 2) regarding to 71-91 Dana Avenue, to provide for four-story development, and 3) regarding to 81-91 Dana Avenue, the construction a multifamily residential development with associated parking (the “Amendments”), and revising Map A-ix and text of the Urban Renewal Plan and Chapter 375 of the City Code, accordingly (the “Amendments”); and

WHEREAS, the Common Council desires to continue to act as SEQRA lead agency to consider the proposed Amendments.

NOW, THEREFORE, BE IT RESOLVED, that the City of Albany Common Council declares its intent to continue to act as SEQRA lead agency for the environmental review of the proposed action pursuant to SEQRA.

BE IT FURTHER RESOLVED, that the Common Council preliminarily classifies the proposed action as an unlisted action pursuant to SEQRA.

BE IT FURTHER RESOLVED, that the City Clerk is directed to give notice, as may be required, of the Common Council’s declaration to act as SEQRA lead agency.

To: Nala R. Woodard, City Clerk
From: William G. Kelly, Jr., Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: April 8, 2016

ORDINANCE NUMBER 29.42.16R

TITLE

RESOLUTION OF THE COMMON COUNCIL PURSUANT TO SEQRA DECLARING
ITSELF LEAD AGENCY FOR THE CONTINUED ENVIRONMENTAL REVIEW FOR THE
PROPOSED ACTION, THE AMENDMENTS TO THE PARK SOUTH URBAN RENEWAL
PLAN AND PLANNED DEVELOPMENT DISTRICT OF CHAPTER 375 (ZONING) OF THE
CODE OF THE CITY OF ALBANY

GENERAL PURPOSE OF LEGISLATION

To continue to act as lead agency under SEQRA for the review of the proposed action.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

As the agency determining whether the proposed amendments are appropriate, the Common Council
should also be responsible for determining the environmental impact, if any, of the proposed action
under SEQRA.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

N/A

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

N/A

Council Member O'Brien introduced the following:

RESOLUTION NUMBER 30.42.16R

RESOLUTION OF THE COMMON COUNCIL DECLARING ITSELF LEAD AGENCY FOR PURPOSES OF DETERMINING ENVIRONMENTAL SIGNIFICANCE IN ACCORDANCE WITH ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW (SEQRA), AND CHANGING THE ZONING CLASSIFICATIONS OF 40 NORTH RUSSELL ROAD FROM HIGHWAY COMMERCIAL DISTRICT (C-2) TO GENERAL INDUSTRIAL DISTRICT (M-1) AND AMENDING THE ZONING MAP ACCORDINGLY

WHEREAS, Ordinance 35.42.16 was introduced by the City of Albany Common Council on April 18, 2016, which proposed rezoning the property located at 40 North Russell Road from Highway Commercial District (C-2) to General Industrial District (M-1); and

WHEREAS, the City of Albany has prepared a short Environmental Assessment Form (short EAF), in conjunction with said proposed rezoning; and

WHEREAS, the action is preliminarily classified as an Unlisted action and is subject to the provisions of the State Environmental Quality Review Act ("SEQRA"), as set forth in Environmental Conservation law Article 8, and its implementing regulations; and

WHEREAS, the Common Council is the most involved agency and, as such, is the most appropriate Lead Agency to conduct a review of the plan in accord with SEQRA regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany shall coordinate review of the proposed rezoning of the property located at 40 North Russell Road and hereby declares itself lead agency pursuant to and under SEQRA;

RESOLVED, that this resolution shall take effect immediately.

To: Nala R. Woodard, City Clerk
From: William G. Kelly, Jr., Senior Assistant Corporation Counsel
Re: Request for Common Council Legislation
Supporting Memorandum
Date: April 8, 2014

RESOLUTION NUMBER 30.42.16R

TITLE

RESOLUTION OF THE COMMON COUNCIL DECLARING ITSELF LEAD AGENCY FOR PURPOSES OF DETERMINING ENVIRONMENTAL SIGNIFICANCE IN ACCORDANCE WITH ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW (SEQRA), AND CHANGING THE ZONING CLASSIFICATIONS OF 40 NORTH RUSSELL ROAD FROM HIGHWAY COMMERCIAL DISTRICT (C-2) TO GENERAL INDUSTRIAL DISTRICT (M-1) AND AMENDING THE ZONING MAP ACCORDINGLY**RESOLUTION NUMBER 101.102.14R**

GENERAL PURPOSE OF LEGISLATION

To act as lead agency under SEQRA for the review of the proposed rezoning of 40 North Russell Road

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

As the agency determining whether a rezoning of the properties is appropriate, the Common Council should also be responsible for determining the environmental impact of the proposed action under SEQRA.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

N/A

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable)

N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable)

N/A

FISCAL IMPACT(S)

N/A

Council Member introduced the following:

RESOLUTION NUMBER 31.42.16R

**RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE
ELIMINATION OF OUTREACH COORDINATOR AND THE CREATION OF
ADMINISTRATIVE ASSISTANT POSITION IN THE DEPARTMENT OF
RECREATION**

WHEREAS, Section 604(D)(b) of the Charter of the City of Albany dictates that any salary changes that occur in the City of Albany outside of those described in the duly adopted budget must be consented to by the Common Council; and

WHEREAS, it is recognized that the needs of the Department of Recreation require the skills and abilities of an Administrative Assistant position rather than those of one of the current Outreach Coordinator.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany consents to the transfer of funds affecting salary totals due to the elimination of one current position of Outreach Coordinator and the creation of one additional position of Administrative Assistant within the Department of Recreation for the 2016 Budget year.

TO: Nala R. Woodard, City Clerk
FROM: William G. Kelly, Jr., Senior Assistant Corporation Counsel
RE: Supporting Memorandum
DATE: April 8, 2014

RESOLUTION NUMBER 31.42.16R

TITLE

RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE ELIMINATION OF
OUTREACH COORDINATOR AND THE CREATION OF ADMINISTRATIVE ASSISTANT
POSITION IN THE DEPARTMENT OF RECREATION

GENERAL PURPOSE OF LEGISLATION

See attached memorandum

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

See attached memorandum

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

See attached memorandum

SPECIFICS REGARDING POSITION

See attached memorandum

FISCAL IMPACT(S)

See attached memorandum

Council Member introduced the following:

RESOLUTION NUMBER 32.42.16R

**RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE
ELIMINATION OF KARATE INSTRUCTOR AND ASSISTANT KARATE
INSTRUCTOR AND THE CREATION OF COMMUNITY AIDE/OFFICE ASSISTANT
POSITION IN THE DEPARTMENT OF RECREATION**

WHEREAS, Section 604(D)(b) of the Charter of the City of Albany dictates that any salary changes that occur in the City of Albany outside of those described in the duly adopted budget must be consented to by the Common Council; and

WHEREAS, it is recognized that the needs of the Department of Recreation require the skills and abilities of an Community Aide/Office Assistant position rather than those of one of the current Karate Instructor or Assistant Karate Instructor.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany consents to the transfer of funds affecting salary totals due to the elimination of one current position of Karate Instructor and one current position of Assistant Karate Instructor and the creation of one additional position of Community Aide/Office Assistant within the Department of Recreation for the 2016 Budget year.

TO: Nala R. Woodard, City Clerk
FROM: William G. Kelly, Jr., Senior Assistant Corporation Counsel
RE: Supporting Memorandum
DATE: April 8, 2014

RESOLUTION NUMBER 32.42.16R

TITLE

RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE ELIMINATION OF
KARATE INSTRUCTOR AND ASSISTANT KARATE INSTRUCTOR AND THE CREATION
OF COMMUNITY AIDE/OFFICE ASSISTANT POSITION IN THE DEPARTMENT OF
RECREATION

GENERAL PURPOSE OF LEGISLATION

See attached memorandum

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

See attached memorandum

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

See attached memorandum

SPECIFICS REGARDING POSITION

See attached memorandum

FISCAL IMPACT(S)

See attached memorandum

Council Member introduced the following:

RESOLUTION NUMBER 33.42.16R

**RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE
ELIMINATION OF WEIGHTLIFTING INSTRUCTOR AND THE CREATION OF
ATHLETIC MANAGER POSITION IN THE DEPARTMENT OF RECREATION**

WHEREAS, Section 604(D)(b) of the Charter of the City of Albany dictates that any salary changes that occur in the City of Albany outside of those described in the duly adopted budget must be consented to by the Common Council; and

WHEREAS, it is recognized that the needs of the Department of Recreation require the skills and abilities of an Athletic Manager position rather than those of one of the current Weightlifting Instructor positions.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Albany consents to the transfer of funds affecting salary totals due to the elimination of one current position of Weightlifting Instructor and the creation of one additional position of Athletic Manager for the 2016 Budget year.

TO: Nala R. Woodard, City Clerk
FROM: William G. Kelly, Jr., Senior Assistant Corporation Counsel
RE: Supporting Memorandum
DATE: April 8, 2016

RESOLUTION NUMBER 33.42.16R

TITLE

RESOLUTION OF THE COMMON COUNCIL CONSENTING TO THE ELIMINATION OF
WEIGHTLIFTING INSTRUCTOR AND THE CREATION OF ATHLETIC MANAGER
POSITION IN THE DEPARTMENT OF RECREATION

GENERAL PURPOSE OF LEGISLATION

See attached memorandum

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW

See attached memorandum

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE

See attached memorandum

SPECIFICS REGARDING POSITION

See attached memorandum

FISCAL IMPACT(S)

See attached memorandum
